

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LARRY THOMAS HOLLADAY,

)

8:10CV152

)

Petitioner,

)

)

v.

)

**MEMORANDUM  
AND ORDER**

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ROBERT HOUSTON, Director,  
Nebraska Dept. of Correctional  
Services,

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Respondent.

)

This matter is before the court on Petitioner's Motion to Withdraw Appeal. (Filing No. [29](#).) In his Motion, Petitioner requests that the court allow him to withdraw his appeal so that he may address issues of "new evidence" and "procedural errors." (*Id.*) For good cause shown, the court will permit Petitioner leave to withdraw his appeal.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion to Withdraw Appeal (filing no. [29](#)) is granted.
2. The Clerk of the court shall not process Petitioner's appeal.

DATED this 4<sup>th</sup> day of April, 2011.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge